

# Exhibit F

1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
3                           SOUTHERN DIVISION

4       GARY BRICE MCBAY,  
5           Plaintiff,

6       VERSUS                   CIVIL ACTION NO: 1:07cv1205LG-RHW

7  
8       HARRISON COUNTY, MISSISSIPPI,  
9       by and through its Board of  
10      Supervisors; HARRISON COUNTY  
11      SHERIFF, George Payne, in his  
12      official capacity; CORRECTIONS  
13      OFFICER MORGAN THOMPSON,  
14      acting under color of state law,  
15      Defendants.

16                   DEPOSITION OF GARY BRICE MCBAY

17       Taken at the offices of Brown Buchanan,  
18       P.A., 796 Vieux Marche' Mall, Suite 1,  
19       Biloxi, Mississippi, on Tuesday, August  
20       18, 2009, beginning at 12:30 p.m.

21                   APPEARANCES:

22                   PATRICK R. BUCHANAN, ESQUIRE  
23                   Brown Buchanan, P.A.  
24                   796 Vieux Marche' Mall, Suite 1  
25                   Biloxi, Mississippi 39530  
                  ATTORNEY FOR PLAINTIFF

                  JOE C. GEWIN, ESQUIRE  
                  HALEY BROOM, ESQUIRE  
                  Dukes, Dukes, Keating & Faneca, P.A.  
                  2909 13th Street, Sixth Floor  
                  Gulfport, Mississippi 39501  
                  ATTORNEYS FOR GEORGE PAYNE, JR.

1 Q. Do you know where else you would have  
2 been hit?

3 A. I don't recall.

4 Q. Do you remember coming out of the  
5 shower?

6 A. No.

7 Q. Okay. Did your attorney show you the  
8 videotape of the booking area?

9 A. Yes, sir.

10 Q. So if you remember something today,  
11 could it be because of looking at that video?

12 A. No, sir.

13 Q. You remember that one part right in the  
14 middle, correct?

15 A. What part in the middle?

16 Q. In the shower being beat.

17 A. Right.

18 Q. And do you remember what you were saying  
19 or doing at the time?

20 A. Please, no more.

21 Q. Do you remember anything else you said?

22 A. No, sir.

23 Q. Were you cursing the officers?

24 A. I don't recall.

25 Q. Do you remember just making noises and

1 A. Oh, man. I don't recall his name.

2 Q. Was he a local doctor?

3 A. DeSoto.

4 Q. You don't remember his name?

5 A. No, sir.

6 Q. Was he just a family doctor?

7 A. I believe so.

8 Q. Have you ever been to any kind of  
9 facility for detox?

10 A. Yes, sir.

11 Q. How many times?

12 A. I don't recall, sir.

13 Q. Is it the same place every time?

14 A. No.

15 Q. Well, name me the places that you've  
16 been for the detox.

17 A. I don't remember their name.

18 Q. What state were they in?

19 A. Texas.

20 Q. Were they near your hometown?

21 A. Near, yes.

22 Q. You don't remember any of them?

23 A. I don't remember the names.

24 Q. When did that -- what point in your life  
25 did that start?